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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

SUMMARY RECORD OF THE 1482nd MEETING (CLOSED)

Held at Headquarters, New York,
on Wednesday, 9 July 1997, at 3 p.m.

Chairman: Mr. AL-ATTAR (Syrian Arab Republic)
(Rapporteur)

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ORGANIZATION OF WORK

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The meeting was called to order at 3.30 p.m.

ACTIVITIES OF FOREIGN ECONOMIC INTERESTS AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER THEIR COLONIAL DOMINATION

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION

ORGANIZATION OF WORK

1. The CHAIRMAN said that the Special Committee, having considered the amendments submitted on behalf of the European Union in document A/C.4/51/L.2, had adopted only the amendment contained in paragraph 6. All the other amendments had been rejected by the Committee through a vote. After consensus had been reached by the members of the Committee and two administering Powers - the United States of America and the United Kingdom - on the draft text that had been adopted as General Assembly resolution 51/224 of 27 March 1997, the European States had agreed to submit their amendments only to the Special Committee. The Committee had expressed its readiness to discuss them with the members of the European Union. At a subsequent meeting in which the members of the Bureau and some members of the European Union had participated, a plan of action concerning the draft amendments put forward had been discussed.

2. Although it had been indicated that the Committee would take a flexible position, it would nevertheless observe the basic principles underlying its work. A flexible approach had been demonstrated also by the States members of the European Union, which had not insisted on resubmitting all the amendments previously proposed. The resulting spirit of cooperation had given rise to hopes that consensus would be achieved.

3. The Bureau had held a meeting, at which agreement had been reached on three amendments proposed by the European Union, after which some States had requested a meeting of the Special Committee in order to discuss the amendments accepted by the Bureau.

4. Mr. CHTCHERBAK (Russian Federation), speaking on a point of order, enquired as to the reason why the Secretariat had indicated in the Journal that the current meeting of the Special Committee would be closed. His delegation had requested in a telefax addressed to the Chairman of the Committee that the meeting should be open. The Russian Federation considered that the question under consideration was sufficiently important and fully merited compliance with the corresponding procedural rules laid down for such meetings, particularly rule 60 of the rules of procedure of the General Assembly, which stated that "the meetings of the General Assembly and its Main Committees shall be held in public unless the organ concerned decides that exceptional circumstances require that the meeting be held in private". His question was why and by whom the decision to hold a closed meeting had been taken in contravention of that rule.

5. The CHAIRMAN pointed out that the Committee had stated earlier that meetings of its Working Group and drafting groups as well as meetings on draft

resolutions would be closed and that the Committee intended to adhere to the practice followed in previous years.

6. Mr. CHTCHERBAK said that the current meeting was a formal meeting and recalled that during the Committee's 1997 session draft resolutions on a wide range of other questions had been discussed in open meetings. Accordingly, there was no reason to make an exception in the case under consideration and violate rule 60 of the rules of procedure.

7. Mr. RIVERO ROSARIO (Cuba) said that, in accordance with established practice, the consideration of questions related to draft resolutions and the discussion of such draft resolutions were usually conducted "behind closed doors". Accordingly, the Committee was not failing to comply with procedures, but was following established practice. While Cuba had no objection to holding an open meeting, it requested an explanation of the reasons why the Russian Federation wished to change the existing practice.

8. Mr. CHTCHERBAK (Russian Federation) said that the first reason was that the official request by his Government for the holding of a formal, open meeting had been openly ignored, which was absolutely unacceptable. The second reason was that the question under consideration was sufficiently serious - it would be discussed in the Fourth Committee and the General Assembly - and therefore should be accorded the importance that it merited and an attempt should be made to avoid a repetition of the contradictory discussions that had already taken place in the Fourth Committee and the General Assembly. References to established practice were unacceptable, since meetings dealing with a wide range of the draft amendments under discussion had been open, and his delegation did not see any reason why the discussion of that question should be particularly confidential.

9. Mr. ARAIM (Secretary of the Special Committee) said that the request by the Russian Federation had been addressed not to the Secretariat, but to the Chairman of the Committee and had been received by his assistant. After the Bureau had held the meeting at which the amendments submitted by the European Union had been discussed, a decision had been taken to recommend that the Special Committee should hold a closed meeting. Therefore, the Chairman had requested the Secretariat, in accordance with the Bureau's request, to convene a closed meeting. Furthermore, at a meeting with the Under-Secretary-General for Internal Oversight Services, the Chairman had also taken a decision to hold a closed meeting and none of the members of the Committee, including the Russian Federation, had objected to that decision. Thus the Secretariat had acted at the request of the Committee - under the rules of procedure the Committee could decide on such matters - as well as on the recommendation of the Bureau.

10. Mr. COUTTS (Chile) said that he supported the comments made by the Russian Federation and that his delegation had also sent a letter requesting the holding of an open meeting.

11. Mr. CHTCHERBAK (Russian Federation) said that no delegation considered that respect for its requests was an insignificant matter. The Russian Federation believed that that question was sufficiently important and of a political and

ethical nature and would like the meeting to be open. The matter should probably be put to a vote so as not to delay its resolution.

12. Mr. GAMITO (Portugal) said that the holding of an open meeting would promote observance of the principle of transparency in the Committee's work. Furthermore, the Committee would only gain from hearing the statements and observations of the other Member States concerned. That would help strengthen and enhance the Committee's authority and role.

13. Mr. SAMADI (Islamic Republic of Iran) requested the Chairman to explain the reasons why the Bureau had recommended that the current meeting should be closed.

14. Mr. ARAIM (Secretary of the Special Committee) said that, in discussing the amendments proposed by the European Union, the Bureau had decided to recommend its position on the amendments to the Special Committee and had informed the Secretariat that the corresponding meeting should be closed. The Chairman of the Committee had agreed with that. Accordingly, the Secretariat had acted in accordance with the request by the Chairman and the recommendation of the Bureau.

15. Mr. OVIA (Papua New Guinea) said that he had no objections concerning the procedural question and the proposal by the Russian Federation.

16. Mr. SAMADI (Islamic Republic of Iran) said that his delegation was not against discussing that issue in an open meeting, but to save time he proposed the closure of the meeting so that the draft could be discussed in the Working Group. Subsequently, the draft could be considered again in an open meeting for its formal adoption.

17. Mr. CHTCHERBAK (Russian Federation) said that his delegation was pleased that the Committee was willing to support the principle of transparency in the work of the Organization, and hoped that the decision taken would allow the possibility of inviting representatives of the Department of Public Information to the meeting.

18. In addition, his delegation found it necessary to draw attention to one more procedural issue, which bore a direct relationship to the current meeting. The fax from the Committee Secretary of 30 June had communicated the Bureau's decision on the agenda items for the meeting. In that connection, he drew attention to paragraph 1 of document A/AC.109/L.1856 of 10 January 1997, which stated: "Having regard to the expected workload of the Special Committee for the current session and in order to consider the question of decolonization with an innovative approach and to ensure transparency of work, it is suggested that the meetings of the Bureau of the Special Committee be open-ended." That raised the question of why all members of the Committee had not been invited to the Bureau meeting at which the Committee's recommendations concerning the amendments proposed by the European Union had been drawn up, and why that meeting had not been officially announced. His delegation was of the view that that approach was not in accordance with normal and constructive practice, and thus it could not agree to any recommendations made at that meeting. He requested clarification of the matter.

19. The CHAIRMAN said that, unfortunately, the representative of the Russian Federation had not taken part in the meeting of the Committee where he had suggested that the draft resolutions on activities of foreign economic or other interests which impeded the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and on military activities and arrangements by colonial Powers in Territories under their administration should not be discussed with the representatives of the European Union, but rather that the Bureau should first hold a meeting for consultations with members of the group of European Union States and draft amendments and proposals for subsequent presentation to the Committee for discussion in the course of an open meeting. The Committee had accepted that suggestion, and it would thus appear that the appropriate procedure had been followed.

20. Mr. COUTTS (Chile) recalled that several delegations had pointed out the necessity of developing cooperation along the lines of what took place in relations with such administering Powers as the United States of America and the United Kingdom of Great Britain and Northern Ireland. It would thus seem advisable to conduct a dialogue with the European Union in which all Member States would take part. However, the document of 30 June made it clear that the work of the Committee was not following such a path of cooperation.

21. The CHAIRMAN said that the Committee itself could decide whether or not to hold consultations in an open meeting with the participation of all Member States and the group of European Union States. Accordingly, the Committee could take the relevant decision at the current meeting.

22. Mr. CHTCHERBAK (Russian Federation) said that, in the view of his and several other delegations, the Committee was taking the wrong approach to the matter of consultations. It would appear that, before a Committee position was formed and reflected in the Bureau's decisions, consultations should be held with all members of the Committee. In the present instance, the Bureau was proposing to hold consultations with the members of the European Union, essentially determining its own position without taking into account the views of the remaining members of the Committee. His delegation believed that the Committee should meet as a whole to discuss the amendments, determine what points the positions of Committee members had in common and identity differences; then consultations could be held with representatives of the European Union in order to clarify their views on the subjects under discussion. Such consultations should be conducted long before the discussion of those items in the Fourth Committee in order to avoid serious differences of opinion. Although he had not attended the previous meeting, he was aware that several delegations had noted the advisability of holding consultations with the European Union in a plenary meeting of the Committee. In his delegation's view, that was precisely the approach the Committee should take to the matter of consultations and consideration of the draft amendments.

23. Mr. OVIA (Papua New Guinea) said that he agreed with the Chairman that the Committee should conduct its work in accordance with the approved procedure: first, holding of consultations within the Bureau, second, submission by the Bureau of the recommendations resulting from those consultations and third, discussion of those recommendations by the Committee. His delegation had

expected that the current meeting would be devoted to consideration of those recommendations; however, members of the Committee had become involved in a discussion of procedural matters, which was taking up a great deal of time. It should be noted that the Bureau's recommendations were not binding, and members were entirely free to disagree with them. Accordingly, the Committee could use its time wisely, and proceed to discuss the amendments proposed by the European Union, for which purpose the understanding and cooperation of all delegations was necessary.

24. Mr. SAMADI (Islamic Republic of Iran) said that, as the Chairman had stated, the Bureau had held consultations with the representatives of the United States of America and the United Kingdom as administering Powers. His delegation proposed that those consultations should continue, with the participation of interested Member States. As for the European Union, the Chairman, after receiving a letter from the Netherlands dated 12 June, had intended to contact the European Union in order to ascertain the views of its members on that subject. The Committee had never taken a decision on the holding of consultations with the European Union in plenary meeting. The Bureau had conducted the relevant consultations with representatives of the European Union, the Committee should now consider its recommendations and take the appropriate decision.

25. Mr. RAO (India) said that the Secretariat should not be held responsible for decisions taken by the Bureau. Those delegations which had attended the previous meeting were aware of the approach the Committee had taken to consultations with the United States of America and the United Kingdom, and to consultations with the European Union on its proposed amendments. Before the present meeting, he had received instructions regarding India's position on the European Union amendments, as well as on the position of the Committee and the Bureau's recommendations. However, he had not received any instructions with regard to participation in a vote on procedural matters. He was convinced that if there was a need to take a vote in the Committee, it should involve substantive rather that procedural matters. At the moment, members could take note of the views on procedural matters, conduct the discussion of substantive issues within the Working Group, and then hold an open meeting to take the appropriate decision.

26. The CHAIRMAN said that in his view the procedural discussion should be brought to a close. The main purpose of the meeting was to consider the amendments proposed by the European Union. The Committee should therefore take up that question. Procedural matters could be discussed in a plenary meeting of the Committee in which members of the Bureau and delegations absent from the current meeting could participate.

27. Mr. COUTTS (Chile) said that many delegations, including the delegation of Chile, had requested the Chairman and the Bureau to uphold the principles of developing dialogue and cooperation with the European Union which were embodied in the combined resolution. It must be pointed out that, as was apparent from the document of 30 June, the Committee was not upholding those principles.

28. The CHAIRMAN said that after the closure of the formal meeting the Special Committee would hold informal consultations.

The meeting rose at 4.35 p.m.